



BRB No. 18-0219 BLA

RAYMOND ABSHIRE	)	
	)	
Claimant-Respondent	)	
	)	
v.	)	
	)	
KENTLAND ELKHORN COAL	)	
CORPORATION, c/o THE PITTSTON	)	
COMPANY	)	
	)	
and	)	DATE ISSUED: 07/08/2019
	)	
THE PITTSTON COMPANY, c/o	)	
HEALTHSMART CCS	)	
	)	
Employer/Carrier-	)	
Petitioners	)	
	)	
DIRECTOR, OFFICE OF WORKERS'	)	
COMPENSATION PROGRAMS, UNITED	)	
STATES DEPARTMENT OF LABOR	)	
	)	ORDER on MOTION for
Party-in-Interest	)	RECONSIDERATION

Employer/carrier has filed a timely motion for reconsideration of the Board's decision in this case, *Abshire v. Kentland Elkhorn Coal Corp.*, 18-0219 BLA (Mar. 22, 2019) (unpub.). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407(a). Claimant and the Director, Office of Workers' Compensation Programs, respond that the Board's decision should be affirmed.<sup>1</sup>

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<sup>1</sup> Claimant filed a Motion for an Extension of Time to file his response to employer's Motion for Reconsideration, followed by his response brief. We accept claimant's brief as part of the record. 20 C.F.R. §§802.217, 802.219.

After consideration of employer's contentions, no member of the panel has voted to vacate or modify the decision herein.<sup>2</sup> Therefore, employer's motion for reconsideration is denied. 20 C.F.R. §§801.301(b), 802.409.

SO ORDERED.

JUDITH S. BOGGS, Chief  
Administrative Appeals Judge

RYAN GILLIGAN  
Administrative Appeals Judge

JONATHAN ROLFE  
Administrative Appeals Judge

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<sup>2</sup> Due to the retirement of Chief Administrative Appeals Judge Betty Jean Hall on March 31, 2019, Chief Administrative Appeals Judge Judith S. Boggs is substituted on this panel. 20 C.F.R. §802.407(a).